

AMENDED IN ASSEMBLY APRIL 9, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1902

Introduced by Assembly Member Bonta
*(Coauthors: Assembly Members Bonilla, Buchanan, Gordon, Mullin,
and Wieckowski)*
(Coauthor: Senator Mitchell)

February 19, 2014

An act to amend Sections 8239 and 8273 of the Education Code, relating to preschool.

LEGISLATIVE COUNSEL'S DIGEST

AB 1902, as amended, Bonta. California State Preschool Program: part-day preschool: fees.

Existing law, the Child Care and Development Services Act, is enacted for, among other purposes, the purpose of providing a comprehensive, coordinated, and cost-effective system of child care and development services for children from infancy to 13 years of age and their parents, including a full range of supervision, health, and support services through full- and part-time programs. Existing law requires the Superintendent of Public Instruction to administer all California state preschool programs. Existing law requires those programs to include, but not be limited to, part-day age and developmentally appropriate programs designed to facilitate the transition to kindergarten for three- and four-year-old children in educational development, health services, social services, nutritional services, parent education and parent participation, evaluation, and staff development.

Existing law requires fees to be assessed and collected for families with children in a part-day preschool program and requires the

Superintendent to establish a fee schedule for families using preschool and child care and development services pursuant to the act.

This bill would eliminate the requirement for families to be assessed these fees for part-day preschool and for the Superintendent to establish a fee schedule for families using the part-day preschool program.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 8239 of the Education Code is amended
2 to read:

3 8239. The Superintendent shall encourage state preschool
4 program applicants or contracting agencies to offer full-day
5 services through a combination of part-day preschool slots and
6 wraparound general child care and development programs. In order
7 to facilitate a full day of services, all of the following shall apply:

8 (a) Part-day preschool programs provided pursuant to this
9 section shall operate between 175 and 180 days.

10 (b) Wraparound general child care and development programs
11 provided pursuant to this section may operate a minimum of 246
12 days per year unless the child development contract specified a
13 lower minimum days of operation. Part-day general child care and
14 development programs may operate a full day for the remainder
15 of the year after the completion of the preschool program.

16 (c) Part-day preschool services combined with wraparound child
17 care services shall be reimbursed at no more than the full-day
18 standard reimbursement rate for general child care programs with
19 adjustment factors, pursuant to Section 8265 and as determined in
20 the annual Budget Act.

21 (d) Three- and four-year-old children are eligible for wraparound
22 child care services to supplement the part-day California state
23 preschool program if the family meets at least one of the criteria
24 specified in paragraph (1) of subdivision (a) of Section 8263, and
25 the parents meet at least one of the criteria specified in paragraph
26 (2) of subdivision (a) of Section 8263.

27 (e) Fees shall be assessed and collected for families receiving
28 wraparound child care services, pursuant to Article 11.5
29 (commencing with Section 8273).

1 (f) The Superintendent shall ~~annually report~~ *report annually* to
2 the Department of Finance, on or before October 1 of each year,
3 the fees collected from families who have children enrolled in the
4 California state preschool program.

5 (g) For purposes of this section, “wraparound child care
6 services” and “wraparound general child care and development
7 programs” mean services provided for the remaining portion of
8 the day or remainder of the year following the completion of
9 part-day preschool services that are necessary to meet the child
10 care needs of parents eligible pursuant to subdivision (a) of Section
11 8263. These services shall be provided consistent with the general
12 child care and development programs provided pursuant to Article
13 8 (commencing with Section 8240).

14 SEC. 2. Section 8273 of the Education Code is amended to
15 read:

16 8273. (a) The Superintendent shall establish a fee schedule
17 for families using preschool and child care and development
18 services pursuant to this chapter, including families receiving
19 services pursuant to paragraph (1) of subdivision (b) of Section
20 8263. It is the intent of the Legislature that the new fee schedule
21 shall be simple and easy to implement.

22 (b) The family fee schedule shall retain a flat monthly fee per
23 family. The schedule shall differentiate between fees for part-time
24 care and full-time care.

25 (c) Using the most recently approved family fee schedule
26 pursuant to subdivision (f) of Section 8447, families shall be
27 assessed a flat monthly fee based on income, certified family need
28 for full-time or part-time care services, and enrollment, and shall
29 not be based on actual attendance. A recalculation of a family fee
30 shall not occur if attendance varies from enrollment unless a change
31 in need for care is assessed.

32 (d) The Superintendent shall design the new family fee schedule
33 based on the state median income data that was in use for the
34 2007–08 fiscal year, adjusted for family size. The revised family
35 fee schedule shall begin at income levels at which families
36 currently begin paying fees. The revised fees shall not exceed 10
37 percent of the family’s monthly income. The Superintendent shall
38 first submit the adjusted fee schedule to the Department of Finance
39 for approval.

- 1 (e) The income of a recipient of federal supplemental security
2 income benefits pursuant to Title XVI of the federal Social Security
3 Act (42 U.S.C. Sec. 1381 et seq.) and state supplemental program
4 benefits pursuant to Title XVI of the federal Social Security Act
5 (42 U.S.C. Sec. 1381 et seq.) and Chapter 3 (commencing with
6 Section 12000) of Part 3 of Division 9 of the Welfare and
7 Institutions Code shall not be included in total countable income
8 for purposes of determining the amount of the family fee.
- 9 (f) Family fees shall be assessed at initial enrollment and
10 reassessed at update of certification or recertification.
- 11 (g) It is the intent of the Legislature that the new family fees
12 shall be cost neutral to the state and generate roughly the same
13 amount of revenue as was generated under the previous family fee
14 schedule.
- 15 (h) The authority provided to the Superintendent to establish a
16 fee schedule pursuant to this section shall not apply to the part-day
17 preschool program provided pursuant to Section 8239.